

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SCOTT JOHNSON,
Plaintiff,

v.

H.M. WINCHESTER PROPERTIES, LLC,
et al.,
Defendants.

Case No.18-cv-01691-VKD

**SECOND ORDER RE SHOW CAUSE
HEARING**

On October 2, 2018, the Court was informed that this case had settled. Dkt. No. 30. The Court issued an Order to Show Cause, setting the show cause hearing for November 27, 2018 and ordering the parties to file a response by November 20, 2018. Dkt. No. 31. The parties filed a response on November 19, 2018, indicating that they had finalized their settlement and anticipated filing a dismissal within 60 days. Dkt. No. 33. Based on the parties' representations, the Court continued the show cause hearing to January 29, 2019, requiring either a stipulated dismissal by January 18, 2019 or a show cause response by January 22, 2019. Dkt. No. 34.

On January 18, 2019, the parties filed a joint show cause response asking for yet another 60-day extension, despite representing that there was only a "slight delay with regard to redrafting settlement documents." Dkt. No. 37. The Court finds that the parties have not shown good cause for a further 60-day extension.

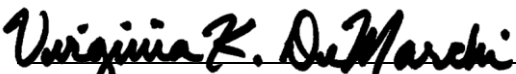
The parties shall file a stipulated dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(ii) by **February 21, 2019**. The show cause hearing set for January 29, 2019 is CONTINUED to **February 26, 2019, 10:00 a.m.** The parties shall file a statement in response to this Second Order re Show Cause Hearing no later than **February 22, 2019** advising as to (1) the status of the

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activities of the parties in finalizing settlement; and (2) how much additional time, if any, is requested to finalize the settlement and file the dismissal. If a dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated and the parties need not file a statement in response to this Order.

IT IS SO ORDERED.

Dated: January 22, 2019


VIRGINIA K. DEMARCHI
United States Magistrate Judge